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FISCAL IMPACT STATEMENT

LS 6749

BILL NUMBER: SB 177

NOTE PREPARED: Jan 12, 2008

BILL AMENDED:

SUBJECT: Medical Examiners.

FIRST AUTHOR: Sen. Merritt

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill creates the Office of the State Medical Examiner (Office) within the State Department of Health. The bill requires the creation of regional medical examiner offices to conduct autopsies referred by each county coroner in the region. It sets forth the duties of a regional medical examiner.

The bill requires the Office to bill the county of residence of a deceased person on whom an autopsy is performed for the costs of the autopsy. It requires a county coroner to certify a death after the regional medical examiner forwards an autopsy report to the county coroner.

The bill also requires a certified child death pathologist within the regional office to: (1) consult with the coroner; (2) conduct certain autopsies; and (3) perform certain duties.

The bill repeals provisions establishing the Commission on Forensic Sciences.

Effective Date: July 1, 2008.

Explanation of State Expenditures: *Summary:* The bill would require estimated funding of at least \$195,500 for the Indiana State Department of Health (ISDH) to establish the Office of the State Medical Examiner. Funds currently expended by county coroners for testing and autopsy services would be available to operate the regional offices of the State Medical Examiner. The bill provides for the billing of counties to support the regional medical examiners in the conduct of autopsies. The bill is not specific with regard to the treatment of billing for autopsy services for individuals who were not residents of the state, which could result in an additional estimated annual state cost of \$318,500. Some additional state funding may be

required to provide startup dollars for the new regional offices.

Background and Additional Details:

Office of the State Medical Examiner: The bill establishes the Office of the State Medical Examiner within the ISDH. The Commissioner of the ISDH is required to designate staff including a director to operate the Office. The bill requires the Director of the Office to designate staff to operate the regional offices and establish minimum and uniform standards of excellence, define duties to be performed, and determine records to be maintained to provide necessary information to county coroners. The bill is not clear with regard to the position of the State Medical Examiner. The bill would require at a minimum, a state program director, support staff, and facilities for the state office. Cost for the Office is estimated to be approximately \$195,500. This estimate includes funds for \$50,000 for a contract for a part-time State Medical Examiner. The estimate does not include any funds for centralized electronic data, records, or billing systems.

Regional Medical Examiner Districts: The Commissioner is required to divide the state into at least five regional medical examiner districts, each with at least one regional office that performs autopsies for county coroners. The bill provides that in determining the districts, no county may be divided to create a region and that population size, death rates, geographical area, and availability of trained personnel shall be considered. Each regional office is required to have facilities for investigating deaths and performing autopsies. The bill provides that the Office may arrange for the use of an existing or private laboratory. The bill provides that regional medical examiners, certified child death pathologists and assistant regional medical examiners may be employed by the Office or may be contracted to work with the Office. The Office is to designate staff to operate the regional offices. The regional offices are required to bill the county of the deceased individual's residence for autopsy costs unless the deceased person was an inmate of a state institution or the county in which the individual died has an operating air ambulance service. The bill is not specific with regard to the treatment of billing for autopsy services for individuals who were not residents of the state. The state may be required to assume these costs. In 2005, 245 autopsies were performed on out-of-state residents. If the average cost of an autopsy is \$1,400, this could represent additional estimated costs of \$343,000.

In 2005, Indiana coroners conducted 3,165 autopsies according to death certificate information reported by the ISDH. Autopsy costs have been reported to average about \$1,200; toxicology testing may cost an additional \$200 to \$300. Depending on the circumstances, these costs can be much higher. If the average cost of the medical procedures is \$1,400, it may be assumed that Indiana coroners are paying about \$4.4 M annually in autopsy costs statewide. The bill provides that these funds, by way of billings for services, would be available to fund the regional offices.

The Office of the State Medical Examiner in Kentucky operates four regional medical examiner offices and a toxicology department for 120 counties. Kentucky does not charge county coroners for autopsy or toxicology testing that is conducted by the state offices. The office employs 13 forensic specialists and conducts nearly 2,500 autopsies annually. Another 250 examinations of living individuals, mainly children, are conducted to assist law enforcement or social services entities in investigations. The Kentucky Office has a total annual budget for 2007 of \$3.6 M.

Explanation of State Revenues:

Explanation of Local Expenditures: *Regional Medical Examiner Districts:* The regional offices are required to bill the county of the deceased individual's residence for autopsy costs unless the deceased person

was an inmate of a state institution or the county in which the individual died has an operating air ambulance service. The bill is not specific with regard to the treatment of billing for autopsy services for individuals who are not residents of the state. It is estimated that currently county coroners are annually spending approximately \$4.4 M for autopsy services statewide.

Explanation of Local Revenues:

State Agencies Affected: State Department of Health.

Local Agencies Affected: County coroner's offices.

Information Sources: ISDH; Dr. Richard Dowden, Boone County Coroner; the Kentucky Office of the State Medical Examiner at <http://www.justice.ky.gov/departments/me/>; *An Overview of Medical Examiner/Coroner Systems in the United States - Development, Current Status, Issues, and Needs*- The National Academies: Forensic Science Needs Committee, Randy Hanzlick, M.D., Emory University at: <http://www7.nationalacademies.org/stl/June%20Forensics%20Hanzlick.pdf>; and *Medical Examiners and Coroners' Offices, 2004*, Bureau of Justice Statistics Special Report, Matthew J. Hickman, PhD, Kristen A. Hughes, MPA, et.al. at: <http://www.ojp.usdoj.gov/bjs/abstract/meco04.htm>.

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